



SN-US035123

*JPW*  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Nobukatsu HARA et al.

Patent Art Unit: 3611

Serial No.: 10/663,990

Examiner: Daniel Depumpo

Filed: September 17, 2003

For: BICYCLE HEAD CAP UNIT

THE ASSISTANT COMMISSIONER FOR PATENTS  
Washington, DC 20231

Sir:

Transmitted herewith is a Response in the above-identified application:

☒ No additional fee is required.

The fee has been calculated as shown below:

				<u>SMALL ENTITY</u>		<u>OTHER THAN A SMALL ENTITY</u>	
CLAIMS							
REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	RATE	ADDIT. FEE
TOTAL	23	- 23	= 0	x09 =	\$	x18 =	\$
INDEP	3	- 3	= 0	x42 =	\$	x84 =	\$
<input type="checkbox"/> 1ST PRESENTATION OF MULT. DEP. CLAIM				+140 =	\$	+280 =	\$
				TOTAL	\$	TOTAL	\$

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1836. A duplicate copy of this sheet is attached.

☒ Any additional excess claim fees under 37 CFR 1.16.

☒ Any additional patent application processing fees under 37 CFR 1.17.

Dated: 11-1-04

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**RESPONSE TO ELECTION / RESTRICTION REQUIREMENTS**

Assistant Commissioner of Patents  
Washington, DC 20231

Sir:

The election/restriction requirements dated October 21, 2004 holds that this application contains claims directed to two patentably distinct inventions and four patentably distinct species.

First, Applicants are required to elect one of the following patentably inventions for prosecution on the merits under 35 U.S.C. §121:

Group I - claims 1-22 drawn to a head cap unit; or

Group II - claim 23 drawn to a method.

Second, Applicants are required to elect one of the following patentably distinct Species for prosecution on the merits under 35 U.S.C. §121:

Species A - Figures 1-7;

Species B - Figure 8;

Species C- Figure 9; and

Species D - Figure 10.

Additionally, the Office Action indicates that there is no generic claim. However, Applicants believe that at least independent claim 1 is generic to all of the Species A-D.

Serial No.: 10/663,990  
Filed: September 17, 2003  
Response dated November 1, 2004  
Reply to Office Action of October 21, 2004

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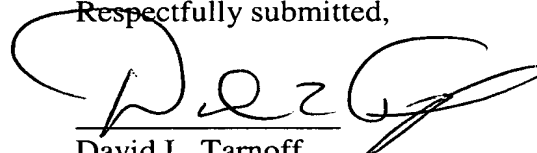
In response, Applicants hereby elect Group I – Claims 1-22 (apparatus claims) and Species B shown in Figure 8 *without traverse*. Applicant believes that claims 1-4, 6-12, 15-18 and 20-22 read on Species B shown in Figure 8.

Accordingly, Applicants respectfully request examination of claims 1-4, 6-12, 15-18 and 20-22, since they read on the elected Species B shown in Figure 8. Claims 5, 13, 14 and 19 are believed to be directed to the non-elected embodiments. Thus, claims 5, 13, 14, 19 and 23 can be withdrawn from consideration in this case. However, Applicants respectfully request that these non-elected species claims 5, 13, 14 and 19 be considered upon the allowance of a generic claim in accordance with U.S. patent practice.

\* \* \*

Prompt examination on the merits is respectfully requested.

Respectfully submitted,



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